

REMARKS

Claims 1 and 4-10 are pending in the present application. Claims 1, 5, and 8-10 have been amended to correct typographic errors and/or to further clarify the subject matter recited therein. No new matter is added by the new claim and amendments, which find support throughout the specification and figures. In particular, the amendments find support in the specification at page 35, lines 15-25, and figure 12. It is respectfully requested that the amendments be entered since they raise no new issues, simplify issues for appeal, and/or place the claims in condition for allowance. In view of the amendments and the following remarks, favorable reconsideration of this application is respectfully requested.

Applicant respectfully notes that the Examiner has not returned an initialed copy of the Information Disclosure Statement filed on July 29, 2003. Applicant herein encloses a courtesy copy of the Information Disclosure Statement and respectfully requests that the Examiner return an initialed copy with the next communication to the Applicant.

Applicant also respectfully notes that the Examiner's acknowledgement of the claim for priority in the Office Action of October 22, 2004 is incomplete in that it does not include acknowledgment of the receipt of the certified priority documents in the present application, which were submitted on October 30, 2001. Applicant respectfully requests that the Examiner acknowledge receipt of the certified priority documents in the next communication to the Applicant.

Claims 1 and 4-10 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 8-10 have been amended to remove reference to “means” language and recite the limitations functionally. Therefore it is respectfully submitted that the claims as presented are definite, and it is therefore respectfully requested that the rejection be withdrawn.

Claims 1, 5, and 8-10 have been amended to recite that while a point degree owned by the customer increases *in response to the customer selecting the advertisement*, a display point degree decreases. Therefore, the claims as presented define the claimed invention and enable one skilled in the art to practice the invention. The Examiner is therefore respectfully requested to withdraw the rejection.

Claims 1 and 4-10 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,794,210 to Goldhaber et al. (hereinafter Goldhaber). Applicant respectfully traverses.

In the present invention, compensations may be receivable multiple times by a single customer. (*See Specification; page 33, line 32, et. seq.*). That is, the incentive points may be displayed with respect to the same advertisement multiple times. In the present invention, the incentive point degree to be displayed decreases as the incentive point degree owned by a customer increases in response to the customer selecting the advertisement. This system configuration may thereby avoid giving the incentive points in a biased manner, namely to a specific customer who repeatedly clicks the banner advertisement. Therefore, the incentive points may be given to a wider range of customers.

Claim 1 is directed to an advertisement supplying system for displaying a point which may give viewing persons an incentive to view an advertisement in combination with advertisement information on a terminal apparatus connected thereto via a computer network. The system according to claim 1 includes, *inter alia*, display point degree determining means

for determining a display point degree to be displayed in combination with the advertisement information based upon the point degree owned by the customer. In the system according to claim 1, the rule for determining a display point degree is that while a point degree owned by a customer increases in response to the customer selecting the advertisement, the display point degree decreases. Additionally, the display point degree does not decrease to 0 when the customer first selects the advertisement.

Therefore, it is apparent that the point degree displayed is reduced upon each selection by a user, as the user's point degree concurrently increases. Additionally, this displayed amount does not decrease to zero upon the first selection of the advertisement by the user.

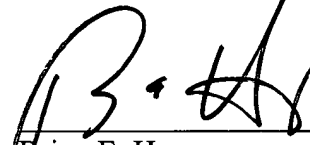
Goldhaber does not disclose or suggest such a rule. Goldhaber apparently discloses that if a consumer interaction is adequate, then "this particular [account is inactivated] (to prevent the consumer from receiving additional compensation by merely successively repeating the same process for the same ad)" (Goldhaber; col. 17, lines 49-52). Clearly, Goldhaber teaches that compensation is received *only once* for the same advertisement.

In contrast, claim 1 specifically recites that the *display amount does not decrease to zero when a customer first selects the advertisement*. In the present invention as now claimed, compensation may be received multiple times for the same ad. Thus, the present invention is distinguishable from cited reference and accordingly the Examiner is respectfully requested to withdraw the rejection.

CONCLUSION

However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action. Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. H.', is written over a horizontal line.

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